

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:05CR3066
)	
v.)	
)	
HENRY AVIMAEAL SALAZAR,)	TENTATIVE FINDINGS ON
)	PRESENTENCE INVESTIGATION
)	REPORT
Defendant.)	
_____)	

The only objection made to the Presentence Investigation Report and Addendum is by the defendant, who says:

Mr. Salazar objects to not being given a mitigating role reduction on his case. He contends that he should receive the benefit of a two level mitigating role reduction, as well as a three level reduction because of the mitigating role cap (pursuant to U.S.S.G. § 2D1.2(a)(3)), resulting in a total mitigating role reduction of five levels.

He further objects that he should be “at a total offense level of 26, criminal history category I, resulting in a guideline imprisonment range of 63 to 78 months. He objects to all PIR paragraphs which do not reflect such a result.”

There is no evidence before me of a mitigating role or the applicability of U.S.S.G. 2D1.2(a)(3)). The defendant will be given an opportunity to present evidence regarding his objection. Except for the objection, the Presentence Investigation Report and Addendum are found tentatively to be true and accurate.

Dated January 30, 2006.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge